

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 11th DAY OF JUNE 2007, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Steve L. Spradlin	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Doug Marrs	
	John A. Muffo	
	Annette S. Perkins (Arrived 6:05 p.m.)	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers	-Planning Director
	Meghan Dorsett	- Planner
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- | | | |
|------------------|-----|---|
| Section 2.2-3711 | (3) | Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body |
| | | 1. Kipps Farm |
| | (1) | Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body |
| | | 1. Board of Zoning Appeals |
| | | 2. Economic Development Alliance (NRV) |
| | | 3. Parks & Recreation Commission |

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
James D. Politis		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Steve L. Spradlin		

Supervisor Perkins arrived at 6:05 p.m.

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Annette S. Perkins	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	
John A. Muffo	
Steve L. Spradlin	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Annette S. Perkins
Mary W. Biggs
Doug Marrs
Gary D. Creed
John A. Muffo
James D. Politis
Steve L. Spradlin

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Elliston & Lafayette Village Plan

The Elliston & Lafayette Village Plan is one of the six village plans specified in §PLU 1.7 Villages, §PLU 1.71 Village Planning Process, and §PNG 4.0 Villages and Rural Communities in the *Montgomery County 2025* comprehensive plan. **The Elliston & Lafayette Village Plan is a twenty-year plan to guide growth, development, and redevelopment within the Elliston and Lafayette Village boundaries.**

Meghan Dorsett, Comprehensive Planner, provided a brief summary of the Elliston & Lafayette Village Plan. Ms. Dorsett explained the planning process in which students from Virginia Tech did a door-to-door survey, interviews, and public meetings in the community. The Planning Staff held three community meetings and a public hearing was held by the Planning Commission.

Growth in Ellison and Lafayette is likely to remain consistent because of the location and planning decisions in neighboring jurisdictions. Terrain, floodplain, and active agricultural interests are likely to reduce the amount of available land for new development. In addition, the presence of the mainline train tracks reduces the number of road crossings, further limiting the development on the south side of Elliston. Given the scarcity of developable land, new development will most likely occur as single lots, minor subdivision lots, or family subdivision lots rather than as part of a large-scale subdivision development. New commercial development will likely occur along the 460/11 corridor and at the Ironto interchange.

Ms. Dorsett explained that the Roanoke River was used as a natural boundary to divide the Village of Elliston and Village of Lafayette. The Village of Lafayette falls north of the river and the Village of Elliston falls south of the river.

Shireen Parsons spoke in support of the Elliston and Lafayette Village Plan and commended the Planning staff. Ms. Parsons believes if the Norfolk Southern Intemodal Facility is built in Elliston then the future of the area will not look like anything in the Village Plan. Ms. Parsons stated during a recent trip through Front Royal, Virginia she took pictures of the Virginia Inland Port. The area surrounding this port was large warehouse and industrial type businesses, which the citizens of Elliston do not want.

Fred Apgar questioned the boundary lines between the Village of Elliston and the Village of Lafayette.

Staff members responded to Mr. Apgar's question and explained the Roanoke River was used as a boundary line between the two villages. Everything north of the river was in the Village of Lafayette and everything south of the river is in the Village of Elliston.

Mickey Apgar expressed his concerns with the Roanoke River being used as a divide. This would indicated the Lafayette cemetery will be located in the Village of Elliston.

There being no further speakers, the public hearing was closed.

Village Transportation Links (VITL) Plans

Village Transportation Links Plans (amendment to the Montgomery County 2025

Comprehensive Plan). The purpose of the VITL Plans are to develop a comprehensive bicycle, pedestrian, and greenways master plan for each of the seven villages designated in the Comprehensive Plan. These villages include Belview, Elliston, Lafayette, Plum Creek, Prices Fork, Riner and Shawsville. As an element of the Comprehensive Plan, the VITL Plans will build a vision for non-motorized transportation access and mobility within and between each of the County's designated villages. VITL Plans will enhance transportation by providing both local and regional links that enable residents to use non-motorized transportation for trips to schools, parks, and local businesses, as well as commute to nearby centers such as Blacksburg, Christiansburg, and Radford. Additionally, a non-motorized transportation network will reinforce the sense of community and support more compact land development within each village. VITL Plans are a first step toward fulfilling Comprehensive Plan goal TRN 4.0 Alternative Transportation – Support viable alternative modes of transportation (walking/biking trails) and provide connectivity to existing transportation networks.

Joe Powers, Planning Director, provided a summary on the Village Transportation Links Plan (VITL). He explained the VITL is to develop a comprehensive bicycle, pedestrian, and greenways master plan for each of the villages designated in the 2004 Montgomery County Comprehensive Plan. The plan identifies specific improvements and implementation priorities for an interconnected network of bicycling and walking facilities that complements each Village and the County's overall transportation system.

Mr. Powers at this time introduced Vlad Gavrilovic with the Renaissance Planning Group, the consulting group who prepared the VITL Plan.

Mr. Gavrilovic explained that the VITL plan relied heavily on public participation, consultation with the Citizen's Advisory Committee, meetings with key stakeholders, and the Virginia Department of Transportation and New River Valley Planning District Commission.

Mr. Gavrilovic provided a summary of the proposed plan for each of the seven villages and the strategy for implementing the ideas generated by the plan. Possible funding sources for the construction of trails and bikeways include grants and private donations/development. There are numerous grant opportunities through the Virginia Department of Transportation and through the state.

Supervisor Politis reported that he received numerous calls from concerned citizens in the Riner area, especially the older residents. They expressed concerns with people crossing their property and that the County will take their land for trails.

Joe Powers explained that the County will not be using eminent domain to take citizens property for trails. The master plan for the Riner Area shows three subdivisions that already have a trail network but not connected to each other. How can the County connect these three trails and also connect them to the school property? The plan relies on citizen participation with easements and rights-of-way. The majority of the proposed trails already run along the existing VDOT right-of-way.

Mike Keen expressed his disapproval of the plan to have bicycle/pedestrian trails within the proposed Riner Village. He is concern for safety and the potential for increased crime. Mr. Keen also expressed concern that all private landowners were not notified of a trail crossing their property. He is opposed to the county seizing, condemning, and declaring eminent domain of property from landowners for the purpose of the proposed trails in the Riner area. Mr. Keen submitted a petition with 47 signatures opposing the link plan in the Village of Riner.

The Planning Director explained that the VITL Plan is a master plan for the village to show where potential trails could go and how to connect the village via trails; for example, connect the Riner Post Office, Schools to surrounding subdivision. Typically, trails follow existing roads and rarely will cross private property. When and if the County gets funding for the network of trails then a more detailed plan will be proposed with community meetings and citizen input.

Supervisor Spradlin explained that the County has made every effort to involve citizens during the planning of the Village Plans and the VITL Plan. Numerous community meetings were held along with information being on the County's web site.

There being no further speakers, the public hearing was closed.

DELEGATION

Virginia Department of Transportation

David Clarke, VDOT's Residency Administrator, updated the Board on the following projects:

- As of July 1, 2007, maintenance work for I-81 and 460 ByPass will be contracted out in the Salem District.
- Paving in Montgomery County is scheduled to start soon. Rt. 11 from, Radford to Christiansburg is scheduled to be paved.

- Patchwork is complete on Dry Valley Road and Silver Lake Road.
- In July, the pipe under Northfork Road, near the store, is scheduled to be replaced.

Supervisor Perkins received a request for VDOT to look at the site distance on Harding Avenue near Mill Pointe Road. Could the right hand bank be shaved back in order to increase the site distance. Supervisor Perkins submitted the citizen’s request to Mr. Clarke.

Supervisor Spradlin reported there are still ditching problems on Mt. Zion Road. The culvert is still not draining properly and he asked that this be looked into. He also requested general ditching be done along Mr. Zion Road and near McCoy Fire Department. There is also site distance problems on McCoy Road and brush needs to be cut back.

Mr. Clarke reported that that the contract for brush cutting and mowing is out for bid and there has been some delay.

PUBLIC ADDRESS

Rodney Howell asked the Board to consider his request to connect to the City of Radford’s water line. He is building a house on Rock Road and the City of Radford’s water line is only 200-250 feet from his property. He expressed concerns with the quality of water in the area, which is iron water.

Nassfg Gawargy addressed the Board on two issues. Mr. Gawargy owns property in the Belview Village and asked the Board to consider designating the property high density as recommended by the New River Valley Planning District Commission in their plan. In the Montgomery County’s comprehensive plan it is designated as low density. Mr. Gawargy also urged the Board to request VDOT to lower the speed limit on Peppers Ferry Road (SR 114) to 35 mph through the Belview Village. He cited safety issues and number of accidents along Peppers Ferry Road.

Richard Rittenhouse addressed the Board in reference to the proposed Norfolk Southern Intermodal Facility. Mr. Rittenhouse doesn’t believe this facility will be built in Salem and urged the Board to move forward and adopt the ordinance presented by the Citizens for the Preservation of our Countryside.

There being no further speakers, the public address session was closed.

ADD TO THE AGENDA - ADDENDUM

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously, the following addendum dated June 11, 2007 was added to the Agenda under New Business:

- B. Revenue Sharing Program Amendment**
- C. Highway Safety Improvement Projects**
- D. New Primary Road Funding**

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
John A. Muffo	None	Annette S. Perkins
James D. Politis		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Steve L. Spradlin		

CONSENT AGENDA

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated June 11, 2007 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Gary D. Creed	
John A. Muffo	
James D. Politis	
Annette S. Perkins	
Steve L. Spradlin	

R-FY-07-189
SCHEDULE PUBLIC HEARING
AN ORDINANCE AMENDING CHAPTER 7,
ARTICLE IV, NOISE, SECTION 7-77
OF THE CODE OF THE COUNTY OF MONTGOMERY VIRGINIA,
BY REMOVING TIME LIMITATIONS
AS TO WHEN A SPECIFIED ACT MAY CONSTITUTE
A NOISE DISTURBANCE UNDER THE CODE

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to schedule a public hearing for July 23, 2007, at 7:15 p.m., or as soon thereafter at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia, to hear citizen comments on the proposed ordinance amending Chapter 7, Article IV, Section 7-77, Entitled Noise, of the Code of the County of Montgomery, by removing time limitations as to when a specified act may constitute a noise disturbance under the Code.

A-FY-07-118
GENERAL DISTRICT COURT

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

220	General District Court	\$3,135
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451203	Undesignated Fund Balance	\$3,135

Said resolution appropriates funds necessary to cover the purchase of 10 shelving units for filing for the General District Court.

A-FY-07-119
SHERIFF
PROJECT LIFESAVER

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

322	Sheriff - Grants	\$200
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The source of the funds for the foregoing appropriation is as follows

<u>Revenue Account</u>		
424401	Project Lifesaver	\$200

Said resolution appropriates project lifesaver funds for use by the Sheriff’s department.

A-FY-07-120
SHERIFF
RECOVERED COSTS

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

310	Sheriff – State	\$2,661
320	Sheriff – County	<u>\$ 478</u>
	Total	\$3,139

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$3,139

Said resolution appropriates recovered costs for use by the Sheriff’s department.

R-FY-07-190
APPOINTMENT
NEW RIVER VALLEY
PLANNING DISTRICT COMMISSION

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Annette S. Perkins** to the **New River Valley Planning District Commission** effective July 1, 2007 and expiring June 30, 2010.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

OLD BUSINESS

ORD-FY-07-27
AN ORDINANCE AMENDING THE ZONING
CLASSIFICATION OF APPROXIMATELY 40.3881 ACRES
FROM AGRICULTURE (A1) TO RURAL RESIDENTIAL (RR)
JAMES & REBECCA THORNTON

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of approximately 40.3881 acres is hereby amended and rezoned from the zoning classification of Agriculture (A1) to Rural Residential (RR) with the following proffered conditions:

1. If stormwater facilities are necessary in the development of the subdivision, then the applicant agrees to establish a Homeowner’s Association to be responsible for the future maintenance and liability of all such stormwater facilities.
2. If the compact development option is utilized, then the applicant agrees:
 - a. To establish a Homeowner’s Association to own and be responsible for the future maintenance and liability of all green space areas, trails and other common facilities located within the subdivision, and
 - b. To provide a walking trail interconnecting the two cul-de-sacs to the green space and through the green space to Sassafrass Road.
3. If a Homeowner’s Association is established, the applicant agrees that the by-laws established for the Homeowner’s Association will transfer ownership of common facilities from the developer to the Homeowner’s Association not later than the date of sale of the eighth (8th) lot in the subdivision.
4. Applicant agrees to provide a 50’ right-of-way for future street extension from the end of the second cul-de-sac to the adjoining property.

This action was commenced upon the application of James and Rebecca Thornton (Agent: Mathews & Henegar, Inc.)

The property is located on the north side of Childress Road (Rt. 693), at the Fairview Church Rd. (Rt. 669) intersection, and is identified as Tax Parcel No. 127-A-19 (Acct. ID # 025566) in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
Doug Marrs	None	Annette S. Perkins
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		
James D. Politis		
Steve L. Spradlin		

R-FY-07-191
SHAWSVILLE VILLAGE PLAN
AMENDMENT TO THE COMPREHENSIVE PLAN

On a motion by Gary D. Creed, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Shawsville Village and Village Expansion Area were identified in the Montgomery County 2025 Comprehensive Plan adopted on October 12, 2004; and

WHEREAS, The Shawsville Village Plan Amendment has been prepared through a collaborative planning process involving Shawsville citizens, Virginia Tech planning students and county staff in order to guide future development; and

WHEREAS, The Planning Commission held a public hearing on April 18, 2007 at the Meadowbrook Library and has recommended approval of the Shawsville Village Plan Amendment; and

WHEREAS, The Board of Supervisors held a public hearing on May 29, 2007.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby amend the Montgomery County 2025 Comprehensive Plan to include the Shawsville Village Plan Amendment (revision dated May 29, 2007).

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
James D. Politis		
Doug Marrs		
Gary D. Creed		
Steve L. Spradlin		

R-FY-07-192
BELVIEW VILLAGE PLAN
AMENDMENT TO THE COMPREHENSIVE PLAN

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Belview Village and Village Expansion Area were identified in the Montgomery County 2025 Comprehensive Plan adopted on October 12, 2004; and

WHEREAS, The Belview Village Plan Amendment has been prepared through a collaborative planning process involving Belview citizens, Virginia Tech planning students and county staff in order to guide future development; and

WHEREAS, The Planning Commission held a public hearing on May 9, 2007 and has recommended approval of the Belview Village Plan Amendment; and

WHEREAS, The Board of Supervisors held a public hearing on May 29, 2007.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby amend the Montgomery County 2025 Comprehensive Plan to include the Belview Village Plan Amendment (revision dated May 29, 2007).

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
Mary W. Biggs	None	Annette S. Perkins
James D. Politis		
Gary D. Creed		
John A. Muffo		
Doug Marrs		
Steve L. Spradlin		

R-FY-07-193
PLUM CREEK VILLAGE PLAN
AMENDMENT TO THE COMPREHENSIVE PLAN

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Plum Creek Village and Village Expansion Area were identified in the Montgomery County 2025 Comprehensive Plan adopted on October 12, 2004; and

WHEREAS, The Plum Creek Village Plan Amendment has been prepared through a collaborative planning process involving Plum Creek citizens, Virginia Tech planning students and county staff in order to guide future development; and

WHEREAS, The Planning Commission held a public hearing on May 9, 2007 and recommended approval of the Plum Creek Village Plan Amendment; and

WHEREAS, The Board of Supervisors held a public hearing on May 29, 2007.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby amend the Montgomery County 2025 Comprehensive Plan to include the Plum Creek Village Plan Amendment (revision dated May 29, 2007).

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
Mary W. Biggs	None	Annette S. Perkins
James D. Politis		
Gary D. Creed		
John A. Muffo		
Doug Marrs		
Steve L. Spradlin		

R-FY-07-194
RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF MONTGOMERY, VIRGINIA,
AFFIRMING A BOUNDARY LINE ADJUSTMENT AGREEMENT
BETWEEN THE COUNTY OF MONTGOMERY, VIRGINIA AND
THE TOWN OF CHRISTIANSBURG, VIRGINIA, AND
AUTHORIZING THE FILING OF A JOINT PETITION PURSUANT TO
SECTION 15.2-3106, ET SEQ., OF THE CODE OF VIRGINIA, 1950, AS AMENDED
TO APPROVE THE AGREEMENT

On a motion by Gary D. Creed, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The County of Montgomery, Virginia and the Town of Christiansburg, Virginia have entered into negotiations regarding a voluntary change of the boundary line between them for the purpose of incorporating within the Town approximately 49.816 acres of the land located on the Town's northeast border west of the U.S. Route 460 Bypass and east of N. Franklin Street, to include the lands of Woody, Wheatland, Hairston and a small strip of land adjacent to U.S. Route 460 3A Bypass in an area commonly referred to as "Mid-County"; and

WHEREAS, The incorporation of the 49.816 acres into the Town will not adversely affect the ability of the County to meet the needs of its residents, both within and without the Town corporate limits; and

WHEREAS, The proposed changes of the boundary line between the County and the Town will further the interest of the Commonwealth of Virginia in promoting the orderly growth and the continued viability of its local governments.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that:

1. The Board of Supervisors of the County of Montgomery, Virginia, hereby approves the Boundary Line Adjustment Agreement between the County of Montgomery and the Town of Christiansburg, (the "Agreement"), a copy of which is attached hereto and hereby authorizes and directs its Chairman Steve Spradlin to execute the Agreement on behalf of the County.
2. The County Administrator and County Attorney are hereby directed to petition the Circuit Court of Montgomery County, Virginia, to affirm and validate the Agreement and to establish the new boundary line between the County and Town pursuant to Section 15.2-3106 et seq., of the Code of Virginia, 1950, as amended.

IN WITNESS WHEREOF, The Board of Supervisors of the County of Montgomery, Virginia has caused this Resolution to be duly executed on its behalf by its Chair and attested by its Clerk.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	
Doug Marrs	
Mary W. Biggs	
Steve L. Spradlin	

Remove from the TABLE – Establish Invocations at the Start of Board of Supervisors Meetings – FAILED

Supervisor Biggs made a motion to remove this item from the table. Motion failed due to lack of a second.

NEW BUSINESS

**R-FY-07-195
APPOINTMENT
BOARD OF ZONING APPEALS**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends to the Circuit Court Judge reappointment of **Richard M. DiSalvo, Jr.** to the **Board of Zoning Appeals** effective June 12, 2007 and expiring June 11, 2012.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Annette S. Perkins	
Doug Marrs	
Mary W. Biggs	
James D. Politis	
Gary D. Creed	
Steve L. Spradlin	

**R-FY-07-196
RESOLUTION AMENDING THE
FY 2005-2006 REVENUE SHARING PROJECTS
BY DELETING DRY VALLEY ROAD (SR 787) AND
ADDING SUNFLOWER ROAD (SR 729)**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried,

WHEREAS, The Board of Supervisors FY 2005- 2006 Revenue Sharing resolution adopted on February 13, 2006 approved projects totaling \$744,920 (50% VDOT and 50% County); and

WHEREAS, This amount included \$141,920 for county-wide paving; and

WHEREAS, VDOT had requested payment of the County's share and list of roadways to be paved under this program; and

WHEREAS, The Board of Supervisors at its November 15, 2006 meeting approved the paving of Pollard Road (SR 644), Union Valley Road (SR 669) and Dry Valley Road (SR 787); and

WHEREAS, The Christiansburg Residency Administrator has advised that Dry Valley Road (SR 787) was paved under the Residency's annual maintenance program and now the funds allocated under the Revenue Sharing Program can be reallocated to other County roadways; and

WHEREAS, The Residency Administrator recommended to the Roads Committee, and they concurred that the remaining funds be reallocated from Dry Valley Road (SR 787) to Sunflower Road (SR 729).

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby requests that VDOT apply the remaining FY 2005-2006 Revenue Sharing funds that were earmarked for county-wide paving to Sunflower Road (SR 729). The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Doug Marrs
Mary W. Biggs
John A. Muffo
Gary D. Creed
James D. Politis

NAY

Steve L. Spradlin

**R-FY-07-197
RESOLUTION SUPPORTING THE
COMMONWEALTH TRANSPORTATION BOARD'S
DRAFT FY 2008-2013 BUDGET FOR
INTERSTATE AND PRIMARY ROADS**

On a motion by Doug Marrs, seconded by James D. Politis and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors has requested the Commonwealth Transportation Board (CTB) to provide funds to make improvements to Primary Road intersections which heretofore have been deemed a safety concern; and

WHEREAS, The Montgomery County Board of Supervisors' Roads Committee has reviewed the Draft CTB Interstate and Primary Roads FY 2008-FY 2013 draft budget and noted that funds in the amount of \$385,000 have been proposed for Highway Safety Improvement Projects (HISP) in Montgomery County; and

WHEREAS, The Montgomery County Board of Supervisors wishes to support the approval of the HISP funds and to go on record advising the CTB of Primary Road intersections which warrant improvements based on historical accident records.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia supports the CTB's Draft Interstate and Primary Roads Six Year Improvement Program which allocates \$385,000 in HISP funds for Montgomery County, and

BE IT FURTHER RESOLVED, The Montgomery County Board of Supervisors asks the Virginia Department of Transportation to evaluate allocating the HISP funds for improvements at these three intersections located on Primary Roads within the County, and that such evaluation be based on historical and current accident data as to the funding priority for these three intersections:

- Rolling Hills Drive (SR 1286/ U.S. Route 114),

- Life Drive (SR 1295/Route 8),
- Smith Creek Drive (SR 675/Route 8).

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Mary W. Biggs	
James D. Politis	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	
Steve L. Spradlin	

R-FY-07-198
RESOLUTION REQUESTING THE
COMMONWEALTH TRANSPORTATION BOARD
TO RESTORE THREE MONTGOMERY COUNTY PROJECTS
BACK ON THE SIX-YEAR IMPROVEMENT PROGRAM
FOR PRIMARY AND INTERSTATE ROADS

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

WHEREAS, Due to Budgetary Impacts, it was necessary to remove from the Interstate and Primary Roads Six Year Improvement Program several projects which were of interest and concern to the Montgomery County Board of Supervisors; and

WHEREAS, Due to the recent budget amendments which provided additional funds to the Commonwealth Transportation Board (CTB) and that such funds will be used in the current budget cycle to complete projects which have remained on the Six Year Improvement Program; and

WHEREAS, It may be possible in the future budget cycles for the CTB to restore funding to projects which were removed; and

WHEREAS, The Montgomery County Board of Supervisors has previously forwarded resolution of support for the funding of the U. S. Route 114 west bound bridge replacement.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia does wish to thank the CTB for advancing the U.S. Route 114 west bound bridge replacement.

FURTHERMORE, BE IT RESOLVED, That in future budget cycles when funds became available the Montgomery County Board of Supervisors petitions the CTB to restore these three County Primary Projects, which were removed from the Six Year Improvement Program due to budgetary limitations:

- U. S. Route 114
- U.S Route 8
- U.S. Route 8/SR 669 Intersection Improvements (Fairview Church Road)

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
James D. Politis	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	
Doug Marrs	
Steve L. Spradlin	

COUNTY ADMINISTRATOR’S REPORT

Joint Meeting with School Board The County Administrator announced the need for a joint meeting with the School Board to discuss school capital projects, such as Prices Fork Elementary School, Auburn School Strand , and Christiansburg Elementary School. A possible date provided by the School Board is Tuesday, June 26, 2007.

Board members concurred that Tuesday, June 26, 2007 was feasible to hold a joint meeting and instructed the County Administrator to send a reply back to the School Board for confirmation of this date.

BOARD MEMBERS’ REPORTS

Supervisor Biggs reported on several items discussed at the last School Board meeting. School Board Chair, Penny Franklin, suggested that the School Board change the priorities of the School Capital Projects by moving the Auburn project ahead of the Prices Fork Elementary School. The School Board did not take action on this recommendation and the issue will be discussed at a future meeting. The Air Conditioning Project is behind schedule and looks as if the project will not be completed until January 2008 instead of the fall of 2007.

Supervisor Creed commented during reading the School Board minutes the replacement of the roof for the Old Blacksburg Middle School (\$250,000) is still listed on their capital improvement list. Supervisor Biggs explained that this project is still on the list due to safety issues with the old roof. This is a big expense due to the uncertainty of the future use of this building.

Supervisor Spradlin stated that it saddens him greatly that the Board members chose not to remove from the table the issue regarding invocations at Board meetings. He believes this is a golden opportunity to choose some leadership, as they as county leaders not only for county goals but to the children, and that leadership should be on the spiritual side. It troubles him that this Board chose to sit on this and let it become a dead issue. He believes this is a wrong message to send to county citizens.

ADJOURNMENT

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously, the Board adjourned to Monday, June 25, 2007 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
Doug Marrs	
Mary W. Biggs	
James D. Politis	
Gary D. Creed	
John A. Muffo	
Steve L. Spradlin	

The meeting adjourned at 9:30 p.m.

APPROVED:_____	ATTEST:_____
Steve L. Spradlin	B. Clayton Goodman, III
Chair	County Administrator